

AMENDED

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATEDDate of filing in State Engineer's Office JUL 24 2002Returned to applicant for correction SEP 17 2002Corrected application filed OCT 04 2002Map filed OCT 04 2002

The applicant **Robert Lorin Anderson Trust (1/4 Interest) Jimmie Pete Jarrard Children's Trust (3/4 Interest)** hereby make application for permission to change the of water heretofore appropriated under by virtue of the Decree entered in the case of **Walsh v. Virginia & Truckee Railroad, et al., 2nd Judicial District of Nevada**, dated November 14 1885.

1. The source of water is **Ash (aka Gregory) Canyon Creek**
2. The amount of water to be changed **152.5 acre-feet (6.3%)**
3. The water to be used for **Municipal**
4. The water heretofore permitted for **Irrigation and Domestic**
5. The water is to be diverted at the following point **NW 1/4 SW 1/4 Section 12, T.15N., R.19E., M.D.B.&M., or at a point which bears S. 58 degrees 44' 28" W., 2410.44 feet from the center 1/4 corner of said Section 12.**
6. The existing permitted point of diversion is located within **As Decreed**
7. Proposed place of use **All of T.15N., R.20E., M.D.B.&M.; E 1/2 of T.15N., R.19E., M.D.B.&M.; Sections 2, 3 and 4, E 1/2 Section 5, and that portion of the N 1/2 NE 1/4 Section 6, which lies within Carson City limits, T.14N., R.20E., M.D.B.&M.; Sections 28, 29, 31, 32, 33, 34 and 35, W 1/2 Section 36, and those portions of the E 1/2 Section 36, which lie within Carson City limits, T.16N., R.20E., M.D.B.&M.; the S 1/2 of Sections 34, 35 and 36, NE 1/4 Section 36, and those portions of the SW 1/4 NW 1/4 Section 36 and the S 1/2 NE 1/4 Section 35, which lie within the Carson City limits, T.16N., R.19E., M.D.B.&M.**
8. Existing place of use **As Decreed**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Existing diversion box in creek with a pipeline to treatment facility and then to place of use.**
12. Estimated cost of works **\$5,000.00**
13. Estimated time required to construct works **The works are existing**
14. Estimated time required to complete the application of water to beneficial use **5 years**

15. Remarks: Use map filed under Permit No. 61487 for proposed place of use. See letter by Matt Dillon to Leanna Stevens of Carson City, dated December 19, 2000 (Attached for additional information.)

By James P. Haddan, SWRS #575, Agent
s/James P. Haddan
206 South Minnesota Street
Carson City, Nevada 89703

Compared sg/sam dr/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the manner of use and place of use of a portion of the waters of Ash Canyon Creek (aka Gregory's Canyon Creek) as heretofore granted under Kings Canyon Civil Decree dated November 14, 1885, is subject to the terms and conditions imposed by Kings Canyon Civil Decree dated November 14, 1885, and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit is further issued subject to the following conditions:

1. The permit is issued to all existing rights on the source with the understanding that the diversion will be regulated according to the decreed period of use under the present accepted rotation schedule on the stream system and further that the diversion will be subject to any changes in that rotation schedule.
2. That the works of diversion will not impede or restrict the flow of the channel in any manner.
3. The totalizing meters to be installed on the diversion works with annual reports submitted to the Division of Water Resources on actual amounts of diversion.
4. That the total amount of water diverted shall not exceed 6.2757% of the average annual flow.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 6.2757% of Ash Canyon Creek.

Work must be prosecuted with reasonable diligence and be completed on or before:

May 23, 2004

Proof of completion of work shall be filed on or before:

June 23, 2004

Water must be placed to beneficial use on or before:

May 23, 2008

Proof of the application of water to beneficial use shall be filed on or before:

June 23, 2008

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 23rd day of May, A.D. 2003


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____

Issued _____

~~CANCELLED~~ AUG 27 2004 ~~BECAUSE OF FAILURE~~
~~OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT~~
~~Hugh Ricci, P.E.~~ STATE ENGINEER
N/A Can. Rescinded 2/25/05 Joan